

Serial No.10/715,642  
Response to the Notice of Non-Compliant Amendment  
Customer No. 27778

### **REMARKS**

The claim objections have been corrected by removing "the annulus" and replacing it with "an annulus". Similarly the reference to "the upper end" has been changed to "an upper end" removing the need for any antecedent in both instances.

The Examiner then objects to all the claims to the extent the reference to the umbilical 136 as being used to operate the valve actuators 122 that are external when the umbilical is shown inside the BOP stack 124. The explanation is that the actuators 122 are powered externally and not by the umbilical 136. Umbilical 136 goes through the valve assembly 116 and through the hanger 120 to operate downhole equipment such as subsurface safety valves that are not shown. Even in the prior art of Figure 1 the umbilical 38 performed this well known function. However, in the present invention, such as in Figure 2, the valves 118 are clearly externally powered as their actuators 122 are outside the intervention spool 110. The subsurface safety valves and other further downhole equipment are still contemplated to operate in the known way. To remove this as an issue claims that refer to the umbilical simply state that it is attached to the valve assembly, as clearly it is and as shown in Figure 2, for example.

Next, the Examiner objects to the reference to the lateral port in the spool tree and the lateral port in the tubing hanger that aligns with it. This feature is described in the Summary of the Invention toward the bottom of page 2 in the specification but it is not shown in the drawings. This feature is not critical to defining the invention and has simply been removed from the claims.

Various claims have been corrected to indicate that the intervention spool is attached to the upper end of the spool tree and not the wellhead. All the § 112 rejections have now been addressed.

The drawing objection is traversed as the riser 316 is shown in Figure 4 and the reference to blowout preventer stack has been removed from claims 9-14 as the riser shown in Figures 4 and 5 is not used with a blowout preventer. The presence of the intervention spool 304 or 404 with external operators 122 allows the valve assembly 308 or 408 to be used without a BOP on a workover, as shown in Figures 4 or 5.

Finally, the Examiner uses Kent USP 6,357,529 to reject claim 1 as obvious. Claim 1 recites that valve assembly in the intervention spool is operable with the blowout preventer in place. This is not the case with the cited reference. Before the jumper module 70 is fitted in Kent, the blowout

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preventer stack is there but the valves 50 and 52 require the jumper module to get hydraulic power from the supply 80. The jumper module 70 replaces the Christmas tree to makes valves 50 and 52 operable (column 3 lines 17-26). Claim 1 is not obvious because the layout of Kent is such that his valves 50 and 52 being within the spool 16 are not configured to operate with the blowout preventer mounted as required in claim 1. Claim 1 is not obvious in view of Kent.

Claims 15-22 are new are intended to focus on the salient features of the invention while leaving out the assorted background details included in the claims as filed and now amended. These claims are fully supported by the specification, introduce no new matter and accurately capture the true broad scope of the invention as set apart from the prior art of Figure 1 and the cited Kent reference.

Allowance of all the claims is requested.

Respectfully submitted,

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